UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA v. LUIGI NICHOLAS MANGIONE, Defendant.	**Affirmation in Support of Application for Order of Continuance** 24 Mag. 4375

State of New York)
County of New York : ss.:
Southern District of New York)

Dominic A. Gentile, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the Office of Danielle R. Sassoon, United States Attorney for the Southern District of New York. I submit this affirmation in support of an application for an order of continuance of the time within which a preliminary hearing would have to be conducted or an indictment or information would have to be filed, pursuant to Rule 5.1(d) of the Federal Rules of Criminal Procedure and 18 U.S.C. § 3161(h)(7)(A).

2. The defendant was charged in a complaint dated December 18, 2024, with violations of 18 U.S.C. §§ 2261A(1)(A), 2261A(2)A), 2261(b)(1), 924(j), and 924(c). The defendant was arrested on December 19, 2024, and was presented in this District before Magistrate Judge Katharine H. Parker on that same date, at which proceeding the defendant was represented by Karen Friedman Agnifilo, Esq. and Marc Agnifilo, Esq., and ordered detained pending trial without prejudice to making a future bail application.

3. At the presentment, a preliminary hearing was scheduled for January 18, 2025, pursuant to Rule 5.1(c) of the Federal Rules of Criminal Procedure. Therefore, under the Speedy

Trial Act, the Government had until January 18, 2025 within which to file an indictment or information. *See* 18 U.S.C. § 3161(b).

4. On January 6, 2025, Magistrate Judge Barbara C. Moses entered an Order of Continuance, pursuant to Rule 5.1(d) and 18 U.S.C. § 3161(h)(7)(A), extending the time within which a preliminary hearing would have to be conducted or an indictment or information would have to be filed in this case until February 17, 2025.

5. Given the nature of the prosecution and the complexity of the case, the parties jointly seek an additional continuance of the preliminary hearing date to adequately prepare for pretrial proceedings and the trial itself. *See* 18 U.S.C. § 3161(h)(7)(B)(ii).

6. Therefore, the parties request a 30-day continuance until March 19, 2025. On February 11, 2025, I personally corresponded with defense counsel, who stated that the defendant consents to an extension of the preliminary hearing and Speedy Trial Act deadlines to March 19, 2025, and has specifically consented to this request. Andrew Dember, Deputy Chief of the Criminal Division, has approved this application.

7. For the reasons stated above, good cause supports the extension of the preliminary hearing deadline, and the ends of justice served by the granting of the requested continuance outweigh the best interests of the public and defendant in a speedy trial.

Dated: New York, New York
February 12, 2025

Dominic A. Gentile
Jun Xiang
Alexandra Messiter
Thomas Wright
Assistant United States Attorneys
212-637-2567 / 2289 / 2544 / 2295